

**LAND SURVEYORS SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND
LAND SURVEYORS
MINUTES
MADISON, WISCONSIN
OCTOBER 5, 2000**

PRESENT: Robert Hoskins, Harold Kolb, James Rusch and Rick Van Goethem

STAFF PRESENT: Alfred Hall and Jan Neitzel; the Division of Enforcement staff were present for portions of the meeting.

GUESTS PRESENT: Francis Thousand, Wisconsin Society of Land Surveyors

CALL TO ORDER

The meeting was called to order at 9:50 a.m. by Rick Van Goethem, Chair. A quorum of 4 members was present.

AGENDA

Two items were added to the agenda: Internet education and the NCEES annual meeting report from Jim Rusch.

MOTION: Robert Hoskins moved, seconded by Harold Kolb, to adopt the agenda as amended. Motion carried unanimously.

MINUTES (7/18/00)

MOTION: Robert Hoskins moved, seconded by Harold Kolb, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Marlene Cummings

Alfred Hall reported that Secretary Cummings was not available and if the Section members had any questions, Mr. Hall would be happy to relay them to the Secretary.

Alfred Hall, Bureau Director

- Land Surveyor Section Roster

Rick Van Goethem added his work e-mail address and Robert Hoskins made changes to his home address.

- 2001 Meeting Dates

The Section received a copy of the August 2001 meeting dates.

MOTION: Harold Kolb moved, seconded by Jim Rusch, to accept the 2001 proposed meeting dates. Motion carried unanimously.

Alfred Hall explained that when a member cannot attend a meeting in person there is the option of attending by telephone conference.

The Section members would like the examination dates added to the list of meeting dates.

- Regulatory Digest Working Draft

Alfred Hall stated that the examination dates and the discipline will be included in the Regulatory Digest.

- Applications Approved by Delegation

For registration as a land surveyor by comity:

MOTION: Jim Rusch moved, seconded by Robert Hoskins, to ratify the following comity applications approved by the Department staff. Motion carried unanimously.

Michael D. Bytner
Mark H. Landstrom
Robert A. Ross, Jr.

Robert R. Spear, Jr.
Carol A. Sweet-Johnson

For registration as a land surveyor by written examination:

MOTION: Robert Hoskins moved, seconded by Jim Rusch, to ratify the following applications approved by the Department staff. Motion carried unanimously.

Robert Spear
Nathan Wincentsen

- Roland F. Sarko – Order Denying Petition for Rehearing Dated 8/15/00

Alfred Hall reported that no response has been received from Mr. Sarko since the Section denied his request for a rehearing.

- To-Pass Folder

Information was circulated in the To-Pass Folder and duly noted.

EXAMINATION ISSUES

Review of Mail-Out Jurisdictional Exam

The Section discussed changing the current two-hour, sit-down, open-book examination to a mail-out examination. The Section agreed that Wisconsin's credibility could suffer with a mail-out examination.

MOTION: Harold Kolb moved, seconded by Jim Rusch, to continue administering the jurisdictional examination as a two-hour, sit-down, open-book examination. Motion carried unanimously.

Planning for Jurisdictional Examination Question Writing and Review

Darwin Tichenor reported that all of the questions from the jurisdictional examination have been retired and a new set of questions will be used for the November 27, 2000, examination. Mr. Tichenor stated that another examination does need to be written and volunteers are needed to write the questions.

Harold Kolb volunteered to help write questions for the new jurisdictional examination.

Alfred Hall will contact the president of the Society of Land Surveyors for volunteers to help write the jurisdictional examination on Monday, December 4, 2000, from 9:00 a.m. to 4:30 p.m.

Comity Status Report

The Section received a list of land surveyor licenses issued by comity 1/1/1999 –9/20/1999. Noted.

The Section agreed to go into Closed Session and to discuss miscellaneous correspondence and new business after Closed Session.

MOTION: Jim Rusch moved, seconded by Robert Hoskins, to go into Closed Session and to discuss miscellaneous correspondence/information and new business after Closed Session. Motion carried unanimously.

RECESS TO CLOSED SESSION

MOTION: Robert Hoskins moved, seconded by Jim Rusch, to convene the meeting in closed session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats.): to consider the licensing or discipline of a person licensed by this Section or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, deliberations on stipulations that may be signed after printing of agenda, pending applications, examination issues, reinstatement requests, a personal appearance by John R. Murphy, and disciplinary proceedings. Motion carried by a roll call vote: Robert Hoskins-yes; Harold Kolb-yes; James Rusch-yes; and Rick Van Goethem-yes;.

Open Session recessed at 10:57 a.m.

The Section deliberated on issues relating to case status reports, case closings, disciplinary actions, examination challenges, pending applications and a personal appearance by John R. Murphy.

RECONVENE IN OPEN SESSION

MOTION: Robert Hoskins moved, seconded by Jim Rusch, to reconvene in Open Session at 1:55 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

APPLICATION REVIEW

MOTION: Jim Rusch moved, seconded by Harold Kolb, to approve the following applications reviewed by the Section on October 5, 2000. Motion carried unanimously.

FOR REGISTRATION AS A LAND SURVEYOR **By Written Examination**

a. Granted – 17

ANDERSON, WILLIAM G
BERRY, MICHAEL J
CARLSON, THOMAS P
CLEARY, CHRISTOPHER R
FREEL, WILLIAM G
HANK, MICHAEL A
HEALY, THOMAS M
JOLIVETTE, JULIE M
LUND, MARK
MCMULLEN, BENTON A

MURPHY, JOHN R
REID, JAMEY L
RICH, GREGORY J
RUNNING, CHRISTIAN J
SPEAR, ROBERT R JR
TRESSEL, KEVIN L

NATHAN WINCENTSEN (application review by
mail, approved 6/20/00)

CASE CLOSINGS

00 LSR 006

MOTION: Robert Hoskins moved, seconded by Jim Rusch, to close case 00 LSR 006, for PD 7, and to enclose a letter to the complainant stating that the respondent's license has been suspended for one year after which he will be under the supervision of a licensed land surveyor for 3 years, per enclosed document. Motion carried unanimously.

REINSTATEMENT REQUESTS

Lewis Sheerar

MOTION: Jim Rusch moved, seconded by Robert Hoskins, to reinstate the license of Lewis Sheerar upon Mr. Sheerar's taking and passing the jurisdictional examination. Motion carried unanimously.

EXAMINATION ISSUES

The Section discussed the three questions that were challenged on the April 11, 2000, examination and upheld two of the three challenged questions.

MOTION: Jim Rusch moved, seconded by Harold Kolb, to throw out the first challenged question, test question #30, to keep the second challenged question, and to keep the third challenged question, test question #34, but to change the answer key. Motion carried unanimously.

MOTION: Jim Rusch moved, seconded by Harold Kolb, to ratify the decision of the Section's Chair to approve or disapprove the licensure of candidate 108000014 after review of the file, if all criteria are met. Motion carried unanimously.

The files of the test applicants were reviewed and one person should be licensed due to the changes in the answers for the April 11, 2000, examination. Jamey Reid was informally approved for licensure as a land surveyor by the Section and Mr. Reid's licensure will be ratified at the February 8, 2001, Section meeting.

PERSONAL APPEARANCE

John R. Murphy

MOTION: Robert Hoskins moved, seconded by Harold Kolb, to approve John R. Murphy for licensure by comity as a land surveyor. Motion carried unanimously.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

None.

NEW BUSINESS

NCEES Central Zone Meeting

The Section received a copy of the October 5, 2000, report relating to the August 2-5, 2000, NCEES Central Zone meeting. Noted.

Jim Rusch reported that he has been asked by the NCEES to participate in writing questions for the national examination for land surveyors and that land surveyors are needed to help write the questions.

Mr. Rusch recommended that a representative from the Department administrative staff attend the NCEES national and regional meetings.

Emeritus Status

The Section discussed Emeritus status.

MOTION: Jim Rusch moved, seconded by Robert Hoskins, to recommend Robert Schaeffers for Emeritus status. Motion carried unanimously.

ADJOURNMENT

MOTION: Harold Kolb moved, seconded by Robert Hoskins, to adjourn the meeting at 2:29 p.m. Motion carried unanimously.